

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#  
DATE FILED: 6/16

ALLEN WOLFSON,

Plaintiff,

-against-

CHRISTOPHER BRUNO,

Defendant.

08 Civ. 0481 (LAK)

## ORDER

**ANDREW J. PECK, United States Magistrate Judge:**

This Order responds to Mr. Wolfson's undated letter, received on June 13, 2008 (copy attached).

Mr. Wolfson is mis-informed. I have not recused myself. The case was reassigned from District Judge Batts to District Judge Kaplan. On all cases, in addition to the assigned District Judge, a Magistrate Judge is designated. I am that designated Magistrate Judge on this case. However, unless the District Judge refers the case to the Magistrate Judge, which Judge Kaplan has not (yet) done, the Magistrate Judge has no role in the case. I hope this helps you to understand the workings of the Court.

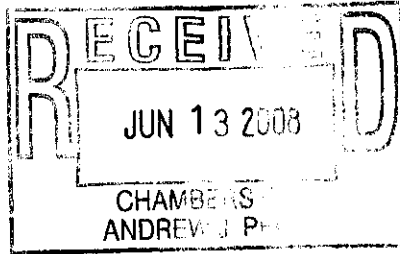
As to your other question, I did not attend St. Petersburg Junior College.

SO ORDERED.

Dated: New York, New York  
June 16, 2008

**Andrew J. Peck**  
United States Magistrate Judge

Copies to: Allen Wolfson (Mail)  
Judge Lewis A. Kaplan



Allen Wolfson

03430-018

Metropolitan Detention Center

P.O. BOX 329002

Brooklyn New York 11232

RE: Wolfson v Bruno No.08 Civ. 0481(DB)

Dear Magistrate Judge Peck:

I am writing this letter to ask you to tell me why you recused yourself from the above case. I realize that Judge Kaplan who has assumed your case is one of your associates. I have a bad feeling that you were forced to recuse yourself under some sort of pressure. My lawsuit has to deal with the fact that Bruno who worked for me in a criminal case was working with the prosecutor to falsely convict me of something that is not a crime. I believe that someone in your association is working with the prosecutor to make sure that my lawsuit goes nowhere. I truly believe that Judge Kaplan did not get my case because it was his turn on rotation. I was notified by Judge Kaplan that you and the District Court Judge Batts had recused yourself from the case. The next thing that Judge Kaplan told me was that if service is not rendered in the time frame that the case could be dismissed. What bothered me was that he sent this registered mail. The summons in this case was sent to the U.S. Marshal's for service on March 12, 2008. The U.S. Marshal had until May 19, 2008 to make service on Bruno. Supposedly the Marshal service was to serve the defendant on April 19, 2008. To my knowledge the Marshal service has never notified me that they made service. Perhaps all of this is just a coincidence but unfortunately I don't think so.

What I would appreciate you doing is to sign a statement and attest to that statement that your information is true and correct. Under title 28 § 1746. Your affidavit will assure me that your

statement is correct and that you were not pressured to recuse yourself from from my case. If you were forced to recuse yourself then I suggest that you make arrangements to reinstatement in this case. Judge Kaplan should be forced to recuse himself since it is obvious that he intentionally placed himself as judge in my case. Your failure to give me a response will only confirm that I am right.

I have a question to ask you. I knew a Peck who attended Saint Petersburg Junior College in St.Petersburg Florida. He became an attorney. I am 62 years of age and you would have to be about the same age if you are or were a friend of mine. I just would like to know if this is you.

I am sorry to bother you because I know that you must be busy But I do hope that I hear from you soon.

Respectfully,

A handwritten signature in cursive script that reads "Allen Wolfson".

Allen Wolfson